

As Of

8/6/2024

**PLAINTIFFS' PROPOSED DAMAGES MODEL*****Hernandez v Rosso Uptown, Ltd.***

PLAINTIFF NAME	Santos Hernandez
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***Dates of Employment***

	Month	Day	Year
First Date of Employment	3	20	2016
Last Date of Employment	7	1	2018

***Wages/Rates***

From	To	Rate	Hourly Rate	Overtime Rate (1.5 x Hourly Rate)	Min Wage
3/20/2016	12/31/2016	\$ 400.00	10.00	\$ 15.00	\$ 9.00
1/1/2017	5/31/2017	\$ 400.00	10.00	\$ 15.00	\$ 10.00
1/1/2018	7/1/2018	\$ 475.00	11.88	\$ 17.81	\$ 11.00

***Hours Worked***

	From	To	Lunch (Hrs)	Hours Worked	SOH
Mon					
Tue	11:00 AM	10:00 PM	1.00	10.00	11.00
Wed	11:00 AM	10:00 PM	1.00	10.00	11.00
Th	11:00 AM	10:00 PM	1.00	10.00	11.00
Fri	11:00 AM	11:00 PM	1.00	11.00	12.00
Sat	11:00 AM	11:00 PM	1.00	11.00	12.00
Sun	12:00 PM	10:00 PM	1.00	9.00	10.00
					SOH Days
				61.00	6.00

**OVERTIME**

From	To	Weeks	Average Hours Worked/Week	Regular Rate	OT Rate	OT Hours	Unpaid OT	Total
3/20/2016	12/31/2016	41.00	61.00	\$ 15.00	\$ 22.50	21.00	\$ 472.50	\$19,372.50
1/1/2017	12/31/2017	52.00	61.00	\$ 15.00	\$ 22.50	21.00	\$ 472.50	\$24,570.00
1/1/2018	8/1/2018	30.00	61.00	\$ 11.88	\$ 17.81	21.00	\$ 374.06	\$11,221.88

**\$ 55,164.38****SPREAD OF HOURS PAY**

From	To	Weeks	SOH Days/Week	Min Wage	SOH Owed/Wk	Total
3/20/2016	12/31/2016	41.00	6.00	\$ 9.00	\$ 54.00	\$ 2,214.00
1/1/2017	12/31/2017	52.00	6.00	\$ 10.00	\$ 60.00	\$ 3,120.00
1/1/2018	8/1/2018	30.00	6.00	\$ 11.00	\$ 66.00	\$ 1,980.00

**\$ 7,314.00****Liquidated Damages**

Overtime	\$55,164	<b>\$ 55,164.38</b>
Spread of Hours Pay	\$7,314.00	<b>\$ 7,314.00</b>
Wage Statement Violations (NYLL 195(3) & 198)	\$5,000.00	<b>\$ 5,000.00</b>
Wage Notice Violations (NYLL 195(1) & 198)	\$5,000.00	<b>\$ 5,000.00</b>

**PREJUDGMENT INTEREST**

From	To	Midpoint	Wages	Years	Yearly Interest	TOTAL
3/20/2016	7/1/2018	5/10/2017	\$ 62,478.38	7.25	\$5,623.05	\$40,740

**\$ 40,740.18****TOTAL \$ 175,696.93**